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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 03-1074)

In re Application of:

Michael L. Fishbain

Serial No.: 10/727,466

Filed: December 4, 2003

Title: System and Method for Electronic Spread
Trading in Real and Synthetically Generated
Markets

Art Unit: 3624

Examiner: Bashore, Alain L.

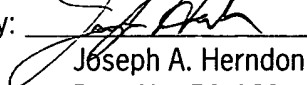
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:
 - A. Information Disclosure Statement
 - B. Form PTO 1449
 - C. Copy of Non-U.S. Patent cited document
 - D. Postcard
2. With respect to additional fees:
☒ A. No additional fee is required.
☐ B. Attached is a check in the amount of \$
3. Please charge any additional fees or credit overpayments to the Deposit Account No.13-2490. A duplicate copy of this transmittal letter is enclosed.
4. CERTIFICATE UNDER 37 CFR 1.8 (FIRST CLASS MAIL): The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28th day of June, 2005.

Dated: June 28, 2005

By: 
Joseph A. Herndon
Reg. No. 50,469

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97-1.98, and in accordance with the duty of candor set forth in 37 C.F.R. §1.56, applicants wish to make the following references of record in the above-identified application. Copies of the Non-U.S. Patent documents cited below are enclosed along with a copy of completed PTO Form-1449.

I. U.S. PUBLICATIONS

	<u>Publication Number</u>	<u>Inventor(s)</u>	<u>Publication Date</u>
1.	US 2004/0193526 A1	Singer et al.	September 30, 2004
2.	US 2001/0042040 A1	Keith	November 15, 2001

II. OTHER DOCUMENTS

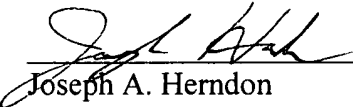
1. International Search Report for PCT/US04/40790

III. DISCUSSION

Applicants submit that these documents, whether taken alone or in combination with others of record, fail to show or suggest the claimed subject matter. The relevance, as it is presently understood by the undersigned, of each reference listed herein is that the references have been identified in an International Search Report in a counterpart international application. A copy of the International Search Report is submitted herewith. Applicants request that the Examiner consider the entirety of each document and make them of record in this application. Applicants' submission of these documents for consideration is not to be construed as an admission that the documents qualify as prior art to the claimed subject matter, a representation that a search has been made, nor as an admission that the information is considered to be material to patentability.

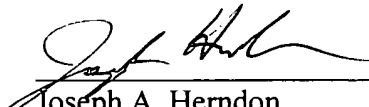
Respectfully Submitted,

Date: June 28, 2005



Joseph A. Herndon
Reg. No. 50,469

I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from the International Searching Authority in a counterpart international application not more than three months prior to the filing of this statement.



Joseph A. Herndon
Reg. No. 50,469

FORM PTO-1449

(Rev. 7-92)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

Serial No.

03-1074

10/727,466

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:

Michael L. Fishbain

Filing Date:

December 4, 2003

Group:

3624

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	US 2004/0193526 A1	9/30/04	Singer et al.			
	US 2001/0042040 A1	11/15/01	Keith			

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation	
					Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

International Search Report for PCT/US04/40790

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.